

ORDINANCE NO. 0-15347  
(New Series)

SEP 22 1980

AN ORDINANCE AMENDING CHAPTER X, ARTICLE 2, DIVISION 4 OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTIONS 102.0406.01, 102.0406.02 AND 102.0406.08 REGARDING PARK FEES.

BE IT ORDAINED, by the Council of The City of San Diego, as follows:

Section 1. That Chapter X, Article 2, Division 4 of the San Diego Municipal Code be, and it is hereby amended by amending Sections 102.0406.01, 102.0406.02 and 102.0406.08 to read as follows:

SEC. 102.0406.01 PURPOSE AND INTENT

In 1965, the Legislature of the State of California amended the Subdivision Map Act (Section 11500 et seq of the Business and Professions Code) so as to enable cities and counties to require either the contribution of land, the payment of fees, or a combination of both, for park or recreational purposes, as a condition of approval of a subdivision map.

Before a city or county may avail itself of said Act, it must have adopted a general plan containing a recreational element with definite principles and standards for the park and recreational facilities to serve the residents of the City or County.

The City Council of The City of San Diego has adopted a general plan containing such recreational element.

It is the intent of this Division to provide for the implementation of those provisions of the Subdivision Map Act referred to above, and it is further the intent of this Division that the cost of land and improvements for population-based parks to serve the future inhabitants of subdivision shall be borne by such subdivision.

SEC. 102.0406.02 ADOPTION OF PARK SERVICE DISTRICTS  
MAP

The City Council does hereby adopt a map entitled "Population-Based Park Service Districts of the City of San Diego." Lands contributed by, and fees collected from subdividers of land within a given community park service district delineated on this map shall be allocated for neighborhood and community park and recreational purposes within the said district or to construct the swimming pool planned to serve the residents of the subdivision as described in the Progress Guide and General Plan of The City of San Diego.

SEC. 102.0406.08 LIMITATIONS OF USE OF LAND AND FEES

The fees received under this Division, together with earned interest thereon, shall be used only for the purpose of providing neighborhood and community park and recreational facilities to serve subdivisions within the boundaries of the population-based community park service district in which the subject developments

are located or for the swimming pool planned to serve the residents of the subdivision as described in the Progress Guide and General Plan of The City of San Diego.

Section 2. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: JOHN W. WITT, City Attorney

By



Frederick C. Conrad  
Chief Deputy City Attorney

FCC:clh  
8/25/80  
645  
Or.Dept.:Park and Rec.

NEW LANGUAGE - Underlined  
OLD LANGUAGE - Crossed Out

SEC. 102.0406.01 PURPOSE AND INTENT

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It is the intent of this Division to provide for the implementation of those provisions of the Subdivision Map Act referred to above, and it is further the intent of this Division that the cost of land and improvements for population-based parks to serve the future inhabitants of subdivision shall be borne by such subdivision.

~~It is also the intent of this Division to provide that neighborhood parks shall be developed before community parks are developed.~~

SEC. 102.0406.02 ADOPTION OF PARK SERVICE DISTRICTS  
MAP

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SEC. 102.0406.08 LIMITATIONS OF USE OF LAND AND FEES

The fees received under this Division, together with earned interest thereon, shall be used only for the purpose of providing neighborhood and community park and recreational facilities to serve subdivisions within the boundaries of the population-based community park service district in which the subject developments are located or for the swimming pool planned to serve the residents of the subdivision as described in the Progress Guide and General Plan of the City of San Diego.

~~When-neighborhood-park-requirements-have-been met-in-any-neighborhood-park-district,-and-remaining funds-and-future-funds-collected-may-be-transferred to-the-appropriate-community-park-district-funds-for~~

~~the-acquisition-and/or-improvement-of-community-park  
land-and/or-improvement-of-community-park-land-and/or  
facilities.~~

~~A-proportional-share-of-each-neighborhood-park  
district's-funds-are-intended-to-accordingly-contribute  
toward-the-completion-of-the-related-community-park.~~

Passed and adopted by the Council of The City of San Diego on SEP 22 1980,  
 by the following vote:

Councilmen	Yeas	Nays	Not Present	Ineligible
Bill Mitchell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bill Cleator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bill Lowery	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fred Schnaubelt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Gotch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Larry Stirling	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lucy Killea	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Pete Wilson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

PETE WILSON

Mayor of The City of San Diego, California.

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

(Seal)

By Rita Andrews, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on

**SEP 8 1980**

**SEP 22 1980**

~~I FURTHER CERTIFY that said ordinance was read in full prior to its final passage.~~

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

(Seal)

By Rita Andrews, Deputy.

Office of the City Clerk, San Diego, California

Ordinance  
Number

15347

Adopted

SEP 22 1980

CERTIFICATE OF PUBLICATION

RECEIVED  
CITY CLERK'S OFFICE  
SAN DIEGO, CALIF.  
1980 OCT 16 AM 10:21

San Diego, CA  
202 C St., 12th floor  
San Diego, CA 92101  
ATTN: Rita Andrews

IN THE MATTER OF

NO.

AN ORDINANCE AMENDING CHAPTER X, ARTICLE 2, DIVISION 4 OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTIONS 102.0406.01, 102.0406.02 AND ETC.

0-15347 NS

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BE IT ORDAINED, by the Council of The City of San Diego,

Section 1. That Chapter X, Article 2, Division 4 of the San Diego Municipal Code be, and it is hereby amended by amending sections 102.0406.01, 102.0406.02 and 102.0406.08 to read as follows:

SEC. 102.0406.01 PURPOSE AND INTENT

In 1966, the Legislature of the State of California amended the Subdivision Map Act (Section 11500 et seq of the Business and Professions Code) so as to enable cities and counties to require either the contribution of land, the payment of fees, or a combination of both, for park or recreational purposes, as a condition of approval of a subdivision map.

Before a city or county may avail itself of said Act, it must have adopted a general plan containing a recreational element with definite principles and standards for the park and recreational facilities to serve the residents of the City or County.

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It is the intent of this Division to provide for the implementation of those provisions of the Subdivision Map Act referred to above, and it is further the intent of this Division that the cost of land and improvements for population-based parks to serve the future inhabitants of subdivision shall be borne by such subdivision.

SEC. 102.0406.02 ADOPTION OF PARK SERVICE DISTRICTS MAP

The City Council does hereby adopt a map entitled "Population-Based Park Service Districts of the City of San Diego." Lands contributed by, and fees collected from subdividers of land within a given community park service district delineated on this map shall be allocated for neighborhood and community park and recreational purposes within the said district or to construct the swimming pool planned to serve the residents of the subdivision as described in the Progress Guide and General Plan of The City of San Diego.

SEC. 102.0406.08 LIMITATIONS OF USE OF LAND AND FEES

The fees received under this Division, together with earned interest thereon, shall be used only for the purpose of providing neighborhood and community park and recreational facilities to serve subdivisions within the boundaries of the population-based community park service district in which the subject developments are located or for the swimming pool planned to serve the residents of the subdivision as described in the Progress Guide and General Plan of The City of San Diego.

Section 2. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

Introduced on September 9, 1980.  
Passed and adopted by the Council of The City of San Diego on September 22, 1980.

AUTHENTICATED BY: PETE WILSON,  
Mayor of The City of San Diego, California.  
CHARLES G. ABDELNOUR,  
City Clerk of The City of San Diego, California.  
(BEAL)

By RITA ANDREWS, Deputy.

Published October 6, 1980

60-1013

Camille Simpson

I, \_\_\_\_\_, am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the principal clerk of the San Diego Daily Transcript, a newspaper of general circulation, printed and published daily, except Saturdays and Sundays, in the City of San Diego, County of San Diego, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of San Diego, State of California, under the date of January 23, 1909, Decree No. 14894; and the

ORDINANCE NO. O-15347 (New Series)

is a true and correct copy of which the annexed is a printed copy and was published in said newspaper on the following date(s), to wit:

October 6, 1980

I certify under penalty of perjury that the foregoing is true and correct.

Dated at San Diego, California this 6th day of Oct., 19 80.

Camille Simpson

(Signature)

6 1/8" x 2 x 7.33 = 89.79